

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Continuation Application of: )  
 )  
Sharat Singh et al. ) Parent Group Art Unit: 1641  
 )  
Parent Application No.: 09/985,254 ) Parent Examiner: M. Ceperley  
 )  
Filed: Herewith )  
 )  
For: METAL CHELATE CONTAINING )  
 COMPOSITIONG FOR USE IN )  
 CHEMILUMINESCENT ASSAYS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed within three months of the filing date of this application and before the mailing date of a first Office Action on the merits.

Copies of the first five U.S. Patents cited on the attached Form PTO-1449 are attached. Copies of the rest of the listed documents were previously submitted in a prior application, Application No. 09/985,254, filing date November 2, 2001, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO-1449.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each, any, or all of the listed documents are material or constitute prior art. If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute prior art under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

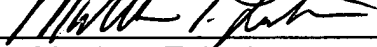
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 9, 2003

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# INFORMATION DISCLOSURE CITATION

Atty. Docket No.: 06759.0008-07000				Continuation of Application No.: 09/985,254			
Applicants: Sharat SINGH et al.							
Filing Date: Herewith				Parent Group Art Unit: 1641			
U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
		6,406,913	06/2002	Ullman et al.			
		6,340,599	01/2002	Singh et al.			
		6,251,581	6/2001	Ullman et al.			
		6,180,354	01/2001	Singh et al.			
		5,811,311	09/1998	Singh et al.			
	A19	5,716,855	02/1998	Lerner et al.			
	B9	5,709,994	01/1998	Pease et al.			
	B8	5,618,732	04/1997	Pease et al.			
	B7	5,616,719	04/1997	Davalian et al.			
	C16	5,578,498	11/1996	Singh et al.			
	B6	5,556,758	09/1996	Allen			
	C17	5,536,834	07/1996	Singh et al.			
	B5	5,516,636	05/1996	McCapra			
	A8	5,340,716	08/1994	Ullman et al.			
	C18	5,257,970	11/1993	Dougherty			
	A7	5,254,477	10/1993	Walt			
	A6	5,143,853	09/1992	Walt			
	B19	5,070,158	12/1991	Holloway et al.			
	B4	4,978,614	12/1990	Bronstein			
	C4	4,959,182	09/1990	Schaap			
	B20	4,822,878	04/1989	Theodoropoulos et al.			
	C3	4,788,142	11/1988	Hosaka et al.			
	C2	4,568,649	02/1986	Bertoglio-Matte			
Examiner				Date Considered			
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>							

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	B3	4,383,031	05/1983	Boguslaski et al.			
	A18	4,318,707	03/1982	Litman et al.			
	A5	4,277,437	07/1981	Maggio			
	C1	4,275,149	06/1981	Litman et al.			
	A4	4,261,968	04/1981	Ullman et al.			
	B2	4,233,402	11/1980	Maggio et al.			
	A3	4,220,450	09/1980	Maggio			
	A2	4,199,559	04/1980	Ullman et al.			
	A1	4,174,384	11/1979	Ullman et al.			
	B21	4,043,792	08/1977	Graham et al.			
	B1	3,996,345	12/7/76	Ullman et al.			
	B18	3,720,622	3/13/73	Bollyky			
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation Yes or No
	C9	WO 95/06877	03/1995	PCT			
	C8	WO 94/03812	02/1994	PCT			
	A23	WO 92/16840	10/1992	PCT			
	B26	WO 91/03479A	03/1991	PCT			
	C7	WO 90/02205	03/1990	PCT			
	C6	WO 89/12232	12/1989	PCT			
	B10	WO 88/00695	01/1988	PCT			
	C5	WO 87/05334	09/1987	PCT			
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	A9	517292	07/1981	Australia			
	B15	0 515 194 A2	11/1992	EPO			
	A13	0 476 545 A1	03/1992	EPO			
	B14	0 421 788 A2	04/1991	EPO			
	B13	0 352 713 B1	01/1990	EPO			
	C10	0 345 776 A2	12/1989	EPO			
	C11	0 345 776 A3	12/1989	EPO			
	A22	0 324 323 A1	07/1989	EPO			
	B12	0 315 364 A2	05/1989	EPO			
	B11	0 275 260 B1	07/1988	EPO			
	A21	0 275 139 A3	07/1988	EPO			
	A11	0 229 943 A2	07/1987	EPO			
	A12	0 229 943 B1	07/1987	EPO			
	A10	0 144 914 A2	06/1985	EPO			
	A20	0 070 685 A2	01/1983	EPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	B22	Edgerton, "Growth Regulators as a Factor in Growth Management of Apple Trees", <i>Proc. Plant Growth Regul. Work. Group</i> 5:188-194, 1978.					
	B24	Handley et al., "Effects of Heteroatom Substituents on the Properties of 1,2-Dioxetanes", <i>Tetrahedron Letters</i> 26(27):3183-3186, 1985.					
	A14	Heller et al., "Chemiluminescent and Fluorescent Probes for DNA Hybridization Systems", <i>Rapid Detection and Identification of Infectious Agents</i> , 245-256, 1985.					
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	B25	Lee et al., "Structural Effects on the Intramolecular Electron Transfer Induced Decomposition....", <i>J. Am. Chem. Soc.</i> <b>102</b> (11):3823-3829, May 21, 1980.
	B16	Lee et al., "Chemiluminescence from the Reaction of Singlet Oxygen with 10,10'-Dimethyl-9,9'-biacridylidene. A Reactive 1,2-Dioxetane", <i>J. Organic Chem.</i> <b>41</b> (16):2685-2688, 1976.
	B23	McCapra et al., "Metal Catalysed Light Emission From a Dioxetan", <i>Tetrahedron Letters</i> <b>23</b> (49):5225-5229, 1982.
	A15	Morrison et al., "Solution-Phase Detection of Polynucleotides Using Interacting Fluorescent Labels and Competitive Hybridization", <i>Anal. Biochem.</i> , <b>183</b> :231-244, 1989.
	A17	Patel et al., "A 'Homogeneous' Immunoassay Method for Cyclic AMP Involving the use of Chemiluminescence-Energy Transfer", <i>Biochemical Society Transactions</i> <b>11</b> :196-197, 1983.
	A16	Patel et al., "Chemiluminescence Energy Transfer: A New Technique Applicable to the Study of Ligand-Ligand Interactions in Living Systems", <i>Anal. Biochem.</i> <b>129</b> :162-169, 1983.
	B17	Seliger et al., "Chemiluminescence of Benzo[a]pyrene-7,8-diol", <i>Photochem. and Photobiol.</i> , <b>36</b> (3):359-365, 1982.
	C12	Turro et al., "Generation, Diffusivity, and Reactivity of Singlet Oxygen in Polymer Matrices. A Convenient and Sensitive Chemiluminescent Technique", <i>J. Amer. Chem. Soc.</i> , <b>100</b> (22):7110-7112, October 25, 1978.
	C14	Ullman et al., "Luminescent Oxygen Channeling Assay (LOCI™): Sensitive, Broadly Applicable Homogeneous Immunoassay Method", <i>Clin. Chem.</i> <b>42</b> (9):1518-1526, 1996.
	C13	Ullman et al., "Luminescent Oxygen Channeling Immunoassay: Measurement of Particle Binding Kinetics by Chemiluminescence", <i>Proc. Natl. Acad. Sci.</i> , <b>91</b> :5426-5430, 1994.
	C15	Yemul et al., "Selective Killing of T- Lymphocytes by Phototoxic Liposomes", <i>Proc. Natl. Acad. Sci.</i> <b>84</b> :246-250, 1987.
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